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Attorney for Defendant
GILBERT TORRES

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. 1:05-cr-0059 AWI
)	
<i>Plaintiff,</i>)	*AMENDED
)	STIPULATION TO CONTINUE STATUS
v.)	CONFERENCE HEARING; SET MOTION
)	BRIEFING SCHEDULE AND HEARING; AND
GILBERT TORRES and ARMANDO)	ORDER THEREON
GARZA,)	
)	Date: *October 31, 2005
<i>Defendants.</i>)	Time: 9:00 a.m.
)	Judge: Honorable Anthony W. Ishii

IT IS HEREBY STIPULATED by and between the parties hereto, and through their respective counsel of record herein, that the Status Conference Hearing in the above captioned matter, set for August 29, 2005 at 9:00 a.m., may be continued to ***October 31, 2005 at 9:00 a.m.**

IT IS FURTHER STIPULATED by and between the parties hereto, and through their respective attorney of record herein, that a motion briefing schedule and hearing may be set as follows: Motions are due on or before **October 3, 2005**; Any response to motions is due on or before **October 17, 2005**; any reply is to be filed on or before **October 24 2005**; and the hearing on said motions to be set for ***October 31, 2005 at 9:00 a.m.**

The reason for this request is that time is needed to review additional records in this matter, and to file potential motions related to the contents of these records.

The parties agree that the delay resulting from the continuance shall be excluded as necessary for

effective defense preparation pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv), and for the filing of pretrial motions and ruling thereon pursuant to 18 U.S.C. §§ 3161(h)(1)(F).

McGREGOR W. SCOTT
United States Attorney

DATED: August 25, 2005

By /s/ David L. Gappa
DAVID L. GAPPA
Assistant United States Attorney
Attorney for Plaintiff

QUIN DENVIR
Federal Public Defender

DATED: August 25, 2005

By /s/ Eric V. Kersten
ERIC V. KERSTEN
Assistant Federal Defender
Attorney for Defendant
Gilbert Torres

SAWL & NETZER

DATED: August 25, 2005

By /s/ Eric H. Schweitzer
Eric H. Schweitzer
Attorney for Defendant
Armando Garza

ORDER

IT IS SO ORDERED. The intervening period of delay is excluded in the interests of justice pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and 3161(h)(8)(B)(iv).

IT IS SO ORDERED.

Dated: August 25, 2005
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/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE